

DECISION DOCUMENTATION

Between the
Bureau of Indian Affairs (BIA), the Confederated Salish Kootenai Tribe (CSKT)
And the
Montana Department of Natural Resources and Conservation (DNRC)

The purpose of this agreement is to provide for a coordinated cooperative fire suppression operation on this fire and to describe the cost division. Following is the cost share agreement between the agencies identified above as negotiated for the Jocko Lakes Fire incident in accordance with the **Statewide Cooperative Fire Protection Agreement #05-FI-11015600-014** executed between the parties on 03/10/05.

Incident Name: Jocko Lakes Fire

Origin: Township 17N Range 17W Section: 36

Estimated Size: 36,060 acres

Incident Start Date and Time: August 3, 2007 at approximately 1400.

Jurisdictions: Fire started on Confederated Salish Kootenai (CSKT) in the Jocko Lakes Primitive Area and spread easterly to Montana DNRC Fire Protection. The burned area of the fire included state and private lands, USFS lands and Tribal lands. Protection agencies included Seeley Lake Rural Fire District, Department of Natural Resources and Conservation for State and Private lands, and Tribal Lands of the Confederated Salish and Kootenai Tribe. All acreage was in Missoula County.

Incident Cause: lightning caused

Incident Numbers by Agency:

Agency	Fire #	Accounting Code
CSKT	MT-FHA-115	DU45
Forest Service Job Code		PNC DU45
DNRC	MT-SWS-56076	86003 / 56076

Cost Share Period: This agreement becomes effective on the date indicated below and will remain in effect until amended or terminated.

Start date/time: August 3, 2007 at 1400

End date/time: October 4, 2007 at 1800

Command Structure: Overall direction of this incident was by **Single Command** structure managed with incident command teams. Lead agency was the DNRC, working with Seeley Lake Rural Fire District (SLRFD), Missoula County Sheriff's Department, Lolo National Forest (LNF) and the CSKT.

Principal Contacts: The following personnel are the principal contacts:

Position	Name	Agency
Incident Commander	McNitt, Wilcock, Hoff, Weiderhold	Various
AgencyAdministrator	Tony Liane	MT DNRC
AgencyAdministrator	Debbie DuMontier	BIA Flathead Agency

Agency representatives participating in the development of this cost share agreement:

Position	Name	Agency
Incident Commander	Kim Martin	USFS
AgencyAdministrator	Tony Liane	MT DNRC
AgencyAdministrator	Debbie DuMontier	BIA Flathead Agency

Agency representatives participating in the development of this cost share agreement:

Flathead Agency BIA Name: Debbie DuMontier Title: Acting Superintendent, FHA	MT DNRC: Name: Steve Holden Title: SWLO Fire Program Manager
CSKT: Name: Tony Harwood Title: Fire Program Manager	LNF: Name: Sherry Slater Title: LNF – Finance Officer

Structural Protection:

1. The fire area involves ownership of and protection by the following entities:

State of Montana (DNRC)

Private Lands

National Forest (USFS-Lolo NF) system lands

Industrial Timberlands – Plum Creek Timber Company

Confederated Salish Kootenai Tribe (CSKT)

Seeley Lake Rural Fire District (SLRFD)

2. PROTECTING ENTITIES & RESPONSIBILITIES

Entity & Location of Protection	Wildland Fire Responsibility (Yes or No)	Structure Protection Responsibility (Yes or No)	Structure Suppression Responsibility (Yes or No)
LNF—all NF lands	N/A	N/A	N/A
Seeley Lake RFD — all private lands and structures within the District boundaries	Yes	Yes	Yes
Missoula County	Yes	No	No
Montana DNRC	Yes	Yes	No
CSKT	Yes	Yes	No

Basis or Rationale for Decision:

This fire originated within the eastern portion of the Confederated Salish Kootenai Tribal lands in the Jocko Lakes Primitive area and spread rapidly to and burned State of Montana and private lands and one private structure in the upper Placid Creek drainage. Threats to the community of Seeley Lake, Montana (population 2200, rural town infrastructure, utilities, 1200 residences), isolated rural structures and large scale summer residences (500 to 750) required immediate escalation to an Incident Management Team organization. Initially a Type II team was employed, but within 24 hours a Type I IMT was ordered. This team did a full 14 day tour of duty, followed by a second Type I team (14 days), a Type III team (4 days) and a Type II team (10 days).

Initial command decisions were made by CSKT and DNRC fire officials to administer the fire from the east side (DNRC fire protection). Briefing and consultation with the IMT by agency fire officials concluded that community protection demanded a frontal attack on a large scale crown fire. This required extensive priority setting, numerous air and ground resources, and long term evacuations of some 600 local residents. Significant recreational areas (Seeley and Placid Lakes) were closed for extended periods.

Tribal and DNRC fire officials made decisions to utilize all available air and ground resources to keep the fire from impinging on the community of Seeley Lake and personal property values at risk. Even though extreme fire behavior and spread were evidenced, and some structure loss occurred, a much more traumatic event was avoided. Air resources consisted of heavy air-tankers and helicopters with buckets. Extensive ground resources of all wildland fire agencies and cooperators were employed. A full force effort was employed to minimize burned acreage and loss of values at risk. During the course of the incident, both Tribal and DNRC sponsored resources worked the entire perimeter of the fire, with emphasis on the eastern, northern and southern flanks. As needed, State, contract, and RFD resources worked back and forth across jurisdictional boundaries to effectively and efficiently contain the fire. As of the closing date of this cost share, each wildland fire agency focused work within their protective areas. Based

on where the fire started, effort taken and forces employed for suppression action for the complete fire perimeter, the following cost share was determined:

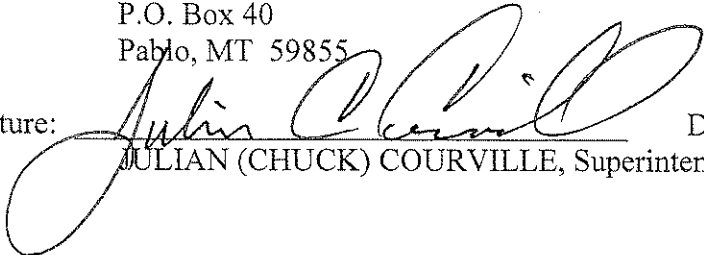
1. A County assist was granted to Missoula County for private lands under their protection in accordance with the Montana DNRC State-County Fire Protection Program.
2. No costs will be shared by the Lolo National Forest. National forest system lands were involved in the incident, however, all Lolo National Forest lands within the Jocko Lakes Fire were under Montana DNRC protection. The Ovando Point Fire (Lolo National Forest) became part of the organizational structure at one point during the Jocko Lakes Incident. Separate accounting records were kept for the Ovando Point Fire and it is not party to this cost share agreement.
3. All costs for the Jocko Lakes Fire will be shared at the rate of 95% to the Montana DNRC and 5% to the Confederated Salish Kootenai Tribe, BIA Flathead Agency.

Other Conditions:

1. Agency specific costs will not be shared.
2. Costs incurred by cooperators not engaged in the unified fire suppression activities will not be included as a part of this cost share agreement.
3. Responsibility for tort claim costs or compensation for injury costs will not be a part of this agreement. Responsibility for these costs will be determined outside this agreement.
4. All costs originating from orders placed by and for the incident that can be reasonably obtained and estimated for the cost share period will be included in this agreement.
5. Costs for accountable, sensitive, and durable property purchased by each agency will be charged directly to that agency and will not be shared.
6. Non-suppression rehabilitation costs are the responsibility of the protection agency and will not be shared.
7. Sharing of final actual costs between the agencies will be based on a combination of suppression effort, burned area (acreage) and by agreement of fire officials of CSKT and DNRC.
8. Per the **05-FI-11015600-014** Cooperative Fire Agreement billing procedures, the parties to this agreement will determine the total costs of each agency. Each agency will bill for their costs.

This Agreement and the apportionment described are our best judgments of fair and equitable Agency cost responsibilities.

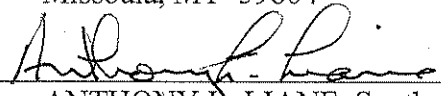
Agency: Bureau of Indian Affairs, Flathead Agency
P.O. Box 40
Pablo, MT 59855

Signature: 

Date: 1-9-08

JULIAN (CHUCK) COURVILLE, Superintendent, Flathead Agency

Agency: Montana Department of Natural Resources and Conservation
Southwestern Land Office
Missoula, MT 59804

Signature: 

Date: 1/14/08

ANTHONY D. LIANE, Southwestern Area Manager